

REMARKS/ARGUMENTS

Claims 1 and 30 have been amended. Claims 1-5, 8, 10 and 30 are pending.

Claims 1-4 and 30 were rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 7,212,980 ("Nakamura") in view of U.S. Publ. No. 2002/0180782 ("Natsuno") and U.S. Patent 6,542,870 ("Matsumoto"). In addition, claims 5, 8 and 10 were rejected under 35 U.S.C. § 103 as being unpatentable over Nakamura in view of Natsuno, Matsumoto and U.S. Patent No. 6,223,166 ("Kay").

Claim 1 has been amended to recite:

an infrared light receiving unit operable to receive use-permitting key information transmitted by infrared communication from an external mobile terminal having a wireless communication function, having an infrared ray communication function and operable to connect to a source of use permission over a network, wherein the use-permitting key information is acquired by the external mobile terminal from a source of use permission which transmits the use-permitting key information over a network responsive to a request for contents of use permission transmitted from the external mobile terminal over the network **based on input** of request for contents of use permission information **by a user to the external mobile terminal**, and wherein said contents of use limitations are derived from said use-permitting key information.

(Emphasis added). Accordingly, an electronic apparatus of claim 1 may include an infrared light receiving unit operable to receive use-permitting key information transmitted by infrared communication from an external mobile terminal, such as a mobile phone, having infrared ray and wireless communication functions and operable to connect to a source of use permission over a network. (See specification, for example, at pg. 22, ln. 6-14). In addition

claim 1 requires that the use-permitting key information is acquired by the external mobile terminal from a source of use permission, such as a server, and the use-permitting key information is transmitted by the source over a network "responsive to a request for contents of use permission transmitted from the external mobile terminal over the network based on input of request for contents of use permission information by a user to the external mobile terminal." (Emphasis added; See specification, for example, at pg. 23, ln. 2-5 and FIG. 7). Thus, advantageously in accordance with the invention of claim 1, a user may use a mobile phone terminal to acquire use-permitting key information, which is transmitted from a source of use permission responsive to a request transmitted from the mobile terminal over a network based on the user inputting contents of use permission information to the mobile terminal, and where the mobile phone terminal is operable to transmit the use-permitting key information by infrared communication to an infrared light receiving unit of an electronic apparatus having one or more functions which are permitted to be executed in accordance with the use-permitting key information. (See specification, for example, at pg. 21, ln. 20-pg. 22, ln. 5).

The Examiner admitted that *Nakamura* and *Matsumoto* do not disclose receiving at an electronic apparatus, by infrared communication from an external mobile terminal, use-permitting key information acquired by the mobile terminal from a source of use permission which transmits the use-permitting key information over a network. (See Office Action, pg. 5). In addition, *Nakamura* and *Matsumoto* do not appear to disclose that the use-permitting key information is transmitted from the source responsive to a request for contents of use permission transmitted from the mobile terminal

based on input by a user to the mobile terminal of request for contents of use permission information, as required by claim 1.

The applied portions of *Natsuno* do not cure the deficiencies of *Nakamura* and *Matsumoto* with respect to the requirements of claim 1, as described above. *Natsuno* appears to disclose a CPU of a game console communicating via a mobile phone, to request control information for a content from a content control source (CC1), "so that there is no need for the user to perform an updating process" to obtain the control information. (Emphasis added; see *Natsuno* at paragraph [0079]). Such portions of *Natsuno*, however, do not appear to disclose acquiring the use-permitting key information at the external mobile terminal, which is transmitted over a network responsive to a request transmitted from the external mobile terminal which is based on an input by a user of request for contents of use permission information to the external mobile terminal, as required by claim 1.

Accordingly, it is respectfully submitted that claim 1 is distinguishable from the applied combination of *Nakamura*, *Natsuno* and *Matsumoto*.

For reasons similar to those previously described with regard to claim 1, it is also respectfully submitted that amended independent claim 30, which includes limitations corresponding to those of claim 1 discussed above, is distinguishable from the combination of *Nakamura*, *Natsuno* and *Matsumoto* applied by the Examiner.

Claims 2-4 depend from independent claim 1. Accordingly, it is also respectfully submitted that dependent claims 2-4 are distinguishable from the combination of *Nakamura*, *Natsuno* and *Matsumoto* as applied by the Examiner for at least the reasons described above regarding claim 1, and because of the additional

restrictions claims 2-4 include.

In addition, claims 5, 8 and 10 depend from independent claim 1. As a result, claims 5, 8 and 10 are distinguishable from the combination of *Nakamura*, *Natsuno* and *Matsumoto* as applied by the Examiner for at least the reasons previously described for claim 1. In addition, the Examiner does not appear to rely on *Kay* to overcome the above-described deficiencies of *Nakamura*, *Natsuno* and *Matsumoto*. Accordingly, it is also respectfully submitted that dependent claims 5, 8 and 10 are distinguishable from the combination of *Nakamura*, *Natsuno*, *Matsumoto* and *Kay* applied by the Examiner for at least the reasons previously described for claim 1, and because of the further restrictions they require.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue.

If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that he telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which he might have.

If there are any additional charges in connection with this

Application No.: 10/538,879

Docket No.: SONYJP 3.3-1038

requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: September 21, 2010

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